

**Bolsover District Council**

**Planning Committee**

**17th November 2021**

**Conservation Area Appraisals**

**Report of the Planning Manager (Development Control)**

Classification: This report is public

Report By: Sarah Kay / Julie-Ann Middleditch

Contact Officer: 01246 242265 / 01246 242342

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**PURPOSE / SUMMARY**

- To seek approval for the adoption of the following Conservation Area Appraisals
  - Elmton Village
  - Elmton with Creswell
  - Hardwick & Rowthorne
  - Southgate House
  - Stainsby
  - Upper Langwith
  - Whitwell
  - Tibshelf
  
- To seek Committee approval to the proposed amendments to the Conservation Area boundary at Tibshelf

**RECOMMENDATIONS**

1. That the Conservation Area Appraisals for Elmton Village, Elmton with Creswell, Hardwick & Rowthorne, Southgate House, Stainsby, Tibshelf, Upper Langwith and Whitwell be adopted by the Council and the authority to make any minor amendments to these documents be delegated to the Planning Manager (Development Control) and Heritage Conservation Manager.
  
2. That the proposed amendments to the Conservation Area of Tibshelf be designated as a Conservation Area, as an extension to the Tibshelf Conservation Area to be known as Extension Number 1.

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Approved by the Portfolio Holder – Corporate Governance

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## IMPLICATIONS

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**Finance and Risk:**      **Yes**       **No**

**Details:**

The main cost arising from these proposals is the cost of officer time. There are no other significant financial implications.

There is a reputational risk if the Council does not actively monitor and evaluate its designated Conservation Areas and the effectiveness of the associated Article 4 Directions.

There is a risk of harm to the special qualities of the District's Conservation Areas if they are not actively monitored and up to date Conservation Area Appraisals are not in place.

On Behalf of the Section 151 Officer

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**Legal (including Data Protection):**      **Yes**       **No**

**Details:**

The Council is placed under a statutory duty by the Planning (Listed Buildings and Conservation Areas) Act 1990 to undertake periodic reviews of Conservation Area Appraisals, which are also required by national planning policies set out in the National Planning Policy Framework.

There are no data protection issues arising from these proposals and all third party representations on these proposals will be dealt with in accordance with the Planning Service's privacy statement.

On Behalf of the Solicitor to the Council

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**Staffing:**      **Yes**       **No**

**Details:**

The Planning Service has been funding additional resource to carry out these appraisals through the appointment of a 2nd Heritage Conservation Manager (0.8FTE – until March 2022) because the established post holder (0.6FTE) has insufficient capacity to carry out this work.

On behalf of the Head of Paid Service

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## DECISION INFORMATION

<b>Decision Information</b>	
<b>Is the decision a Key Decision?</b> A Key Decision is an executive decision which has a significant impact on two or more District wards or which results in income or expenditure to the Council above the following thresholds: <b>BDC:</b> <b>Revenue - £75,000</b> <input type="checkbox"/> <b>Capital - £150,000</b> <input type="checkbox"/> <input checked="" type="checkbox"/> <i>Please indicate which threshold applies</i>	No
<b>Is the decision subject to Call-In?</b> (Only Key Decisions are subject to Call-In)	No
<b>District Wards Significantly Affected</b>	Ault Hucknall, Barlborough, Clowne East, Elmton with Creswell, Langwith, Scarcliffe, Tibshelf and Whitwell
<b>Consultation:</b> <b>Leader / Deputy Leader</b> <input checked="" type="checkbox"/> <b>Cabinet / Executive</b> <input type="checkbox"/> <b>SAMT</b> <input type="checkbox"/> <b>Relevant Service Manager</b> <input checked="" type="checkbox"/> <b>Members</b> <input type="checkbox"/> <b>Public</b> <input checked="" type="checkbox"/> <b>Other</b> <input checked="" type="checkbox"/>	Yes  Details: Click here to enter text.

<b>Links to Council Ambition (BDC)/Council Plan (NED) priorities or Policy Framework including Climate Change, Equalities, and Economics and Health implications.</b>
All.

## REPORT DETAILS

### 1 Background

- 1.1 Bolsover District Council has a duty under section 69(2) of the Planning (Listed Buildings and Conservation Area) Act 1990 to review its designated Conservation Areas from time to time and assess the suitability of further areas for designation.
- 1.2 The National Planning Policy Framework advises that heritage assets should be conserved in a manner appropriate to their significance (paragraph 189). The guidance goes on to state that local planning authorities should ensure that a conservation area justifies such status because of its special architectural or historic interest, and that the concept of conservation is not devalued through the designation of areas that lack special interest.

## Conservation Area Appraisals

- 1.3 A Conservation Area appraisal is a statement of significance that provides the supporting justification for a Conservation Area designation. It is a statement of what defines the character and appearance of a Conservation Area, identifying those elements in particular which are significant.
- 1.4 An appraisal gives a conservation area designation greater weight in appeals. It informs the Local Plan, providing the necessary detail to support Conservation policies. In providing an understanding of the particular significance of an area, an appraisal supports the Council in its obligation to 'preserve or enhance' when making decisions on development proposals.

## Appraisal Coverage

- 1.5 There are 27 Conservation Areas in Bolsover District, 17 of which have formally adopted appraisals (identified with an \* below). It is intended that all of the District's conservation areas will have a formal written appraisal.
- Aspley Grange \*
  - Astwith \*
  - Barlborough
  - Belph \*
  - Bolsover \*
  - Carnfield Hall \*
  - Clowne \*
  - Creswell \*
  - Elmton
  - Elmton with Creswell Farmsteads
  - Hardstoft \*
  - Hardwick and Rowthorne
  - Markland and Hollin Hill Grips \*
  - Newton \*
  - Old Blackwell \*
  - Palterton
  - Pleasley Park and Vale \*
  - Pleasley Village
  - Scarcliffe \*
  - Southgate House
  - Stainsby
  - Steetley \*
  - Stony Houghton \*
  - Tibshelf
  - Upper Langwith
  - Whaley \*
  - Whitwell \*
- 1.6 In November 2019 6 appraisals were reported to Planning Committee inc. Barlborough, Bolsover, Palterton, Pleasley Village, Tibshelf and Clowne. That report also included a recommendation to amend the boundary of the Barlborough and Tibshelf; the carrying out of an appraisal of the suitability of

the Oxcroft settlement for Conservation Area status; and a commitment that 6 further appraisals covering Hardwick & Rowthorne, Upper Langwith, Southgate House, Stainsby, Elmton, and Elmton with Creswell Farmsteads would follow this work stream alongside a review of Whitwell.

- 1.7 This report details those further 8 appraisals.
- 1.8 Within the Tibshelf Conservation Area, there were two proposed boundary changes considered by planning committee in November 2019. However there are two further proposed boundary changes to be considered by this committee. Both are proposed extensions to the Conservation Area.
- 1.9 The first extension relates to numbers 2, 3 and 4 Trail View, a modern development that post-dates the conservation area designation in 1979. The boundary presently includes number 1 Trail View, only half of number 2 Trail View and excludes numbers 3 and 4 Trail View entirely. It does however include the garages attached to number 4. It is proposed to amend the boundary so that the conservation area includes the remainder of number 2 as well as numbers 3 and 4. It is considered that this would acknowledge their contribution to the character and appearance of the conservation area in respect of their design quality as well as providing a more logical boundary on the ground.
- 1.10 The second extension is to include the former Methodist Church, a non-designated heritage asset. It was constructed in 1863 with a later Art Deco frontage dating from the 1930's. Its frontage is of particular note in terms of the quality of the Art Deco design. It is also unusual as a later addition to a Victorian church. The building is imposing and this, along with its architecture contributes towards its significant townscape contribution on the High Street frontage.
- 1.11 A plan of the Tibshelf Conservation Area extensions is attached to this report as Appendix 9. Local Members and the Parish Council and those property owners affected by the proposed boundary changes were consulted on the proposed boundary changes in August 2021. No objections were received.
- 1.12 Now these appraisal works are completed, all of the District's 27 designated Conservation Areas are supported by a Conservation Area Appraisal document.
- 1.13 It is still proposed that the appraisal of Oxcroft is taken forward and as indicated this will happen following on from the completion and ratification of the appraisals of the existing designations. Once drafted, this will be brought before Planning Committee for further consideration.

### Promotion

- 1.14 It is proposed to publicise the appraisal documents through the individual Parish Councils. The Parish Councils will be advised to promote the documents by way of a notification on the Parish Notice board/the Parish

Council web page, directing residents to the Bolsover District Council website where electronic copies of the document(s) are posted.

## **2 Conclusions and Reasons for Recommendation**

- 2.1 The appraisal review was prioritised because these Conservation Area are considered to be under most development pressure and where further development is likely to cause most harm to the special qualities of the respective designated Conservation Areas. The draft appraisals can be viewed online.
- 2.2 In defining the significance of each Conservation Area, the appraisals will enable prospective applicants and other agencies to understand the aims of the Council in designating the individual conservation areas and will act as a guide as to how this should be reflected in their approach to potential development proposals.
- 2.3 When assessing development proposals against conservation policies in the Local Plan, the appraisals will enable the Council to have a detailed understanding of the particular significance of each conservation area as a heritage asset against which a proposal is considered.

## **3 Recommendation**

- 3.1 That the Conservation Area Appraisals for Elmton Village, Elmton with Creswell, Hardwick & Rowthorne, Southgate House, Stainsby, Tibshelf, Upper Langwith and Whitwell be adopted by the Council and the authority to make any minor amendments to these documents be delegated to the Planning Manager (Development Control) and Heritage Conservation Manager.
- 3.2 That the Committee approves the proposed amendments to the Conservation Area of Tibshelf as shown be designated as a conservation area, as an extension to the Tibshelf Conservation Area to be known as extension number 1.

## **DOCUMENT INFORMATION**

<b>Appendix No</b>	<b>Title</b>
1.	Elmton Village
2.	Elmton with Creswell
3.	Hardwick & Rowthorne
4.	Southgate House
5.	Stainsby
6.	Upper Langwith
7.	Whitwell
8.	Tibshelf
9.	Map of Tibshelf Conservation Area Extensions

	<p><b>Please note: Due to their size, the appendices have not been printed and circulated with the agenda. They can however be viewed online via the agenda on Mod.Gov</b></p> <p><b>A hard copy is also available to view at The Arc (Planning Department) or from Governance on request.</b></p>
<p><b>Background Papers</b> (These are unpublished works which have been relied on to a material extent when preparing the report. They must be listed in the section below. If the report is going to Cabinet (NEDDC) or Executive (BDC) you must provide copies of the background papers)</p>	
<p>N/A</p>	